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SUBJECT: Violence Against Women a Serious Problem

REF: HANOI 6

HANOI 00000043 001.2 OF 003

Summary

1. (SBU) Violence against women is a serious problem in Vietnam, but to date the GVN has done little to study or combat it. In spite of Vietnam's economic growth and increasing economic independence for women, traditional attitudes about women's roles persist, and domestic violence does not receive widespread attention as a problem that needs to be addressed. Government activities and funding mostly focus on combating trafficking in persons, hampering the efforts of certain groups that seek to raise domestic violence awareness and protect victims. A draft law on domestic violence holds some promise. End Summary.

Domestic Violence a Serious Problem...

2. (SBU) According to GVN figures, 80 percent of Vietnamese women claim to have suffered some type of domestic violence at some point in their lives, and over 15 percent report that they have been beaten by their husbands. During a recent National Assembly discussion about the issue, it was reported that domestic violence was cited in 42 percent of all divorce cases in Vietnam.

...but Awareness, Countermeasures Still Sparse

3. (SBU) Vietnam is a signatory to the 1981 UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the 1995 Beijing Platform for Action. Under the convention, the GVN is required to develop penal and civil sanctions to prevent violence against women in the home, workplace and community; prosecute abusers and provide victims with judicial protection; and, implement programs to eliminate violence against women. In addition, the GVN is required to submit reports to the UN at least every four years on measures it has taken to comply with its international obligations. The GVN has consistently submitted its national reports, but has yet to promulgate the domestic legal mechanisms to combat domestic violence.

4. (SBU) The general consensus among gender issue advocates here is that the GVN and, more broadly, Vietnamese society, must first come to the conclusion that domestic violence is wrong before the problem can be effectively addressed. Pham Hoai Giang, Director of the Vietnam Women's Union's (VWU) International Relations Department, told PolOff that men still think it is their right to beat women, and "this will not change in the near future." The problem is exacerbated by the view that marital relations -- and domestic

violence -- are no one else's business. A representative of The Asia Foundation (TAF), which works with the VWU to combat domestic violence, told us that even in instances of public abuse of women by their husbands, most people ignore it because "they do not want to get involved" in a family dispute. A 1999 World Bank study further documented this public apathy when it found that a majority of Vietnamese men feel that women are responsible for any violence against them. As the TAF representative put it, the attitude that "women are property" is persistent in Vietnam.

Violence Continues In Spite of Economic Development

15. (SBU) Domestic violence in Vietnam continues in spite of Vietnam's economic growth and women's increasing economic independence. According to the National Committee for the Advancement of Women in Vietnam, women make up 50.8 percent of the population of Vietnam and 50.6 percent of its labor force. Vietnam can also boast of having the highest percentage of female legislators in East Asia. The Committee reports that women have also developed greater access to health care and education, and nearly as many girl students are enrolled in primary and secondary education as boys.

16. (SBU) That said, some gender advocates believe that, ironically, this greater economic achievement may be one of the factors fueling violence against women. "A lot of change is happening very quickly, and men feel the pressure," the TAF representative told Poloff. The changing role of women at home and in a traditionally male-dominated society can be stressful for men, she continued. Gender-based violence studies note that when the wife is the main breadwinner, her husband may verbally and physically abuse her in an attempt to demonstrate his dominance and role as the head of the household, our TAF contact noted.

Few Resources for Victims

HANOI 00000043 002.2 OF 003

17. (SBU) Victims of domestic violence have few resources available to them. The Women's Union is the most recognized source of help and information for victims. Vietnam's Center for Studies and Applied Sciences in Gender, Family-Women-and Adolescents (CSAGA), a non-governmental organization, sponsors some projects that include community-level education and resources for gender-based violence. However, there are no shelters in Hanoi for women escaping abuse. In cases where beaten women must seek medical care, hospitals can only provide medical help; no psychosocial assistance is available.

18. (SBU) Women's Union contacts note that, although family members are often the first source of help for victims, many cannot return to their parents because families believe "it is shameful" to allow a daughter to return home after leaving her husband. Abused women thus usually seek help from neighborhood organizations. "Resident Units" (responsible for maintaining order within local communities) and "Reconciliation Groups" (which include representatives from the Women's Union) can offer assistance in domestic matters and attempt to keep marriages intact, but only by invitation by the couple. According to the VWU's Pham, the organization also works with the local police in certain instances, but the police prefer that marital disputes be resolved without their involvement.

19. (SBU) The Women's Union would like to open domestic violence shelters, but lacks the money to do so, the VWU's Pham continued. For example, the VWU's Center for Women and Development hopes to open a pilot shelter in Hanoi -- which would build on the success of an anti-trafficking victims' center in Ho Chi Minh City -- provided funding becomes available. The Asia Foundation is also hoping to replicate in Vietnam the Cambodian "Project Against Domestic Violence" (PADV) and the "Men Stop Violence" initiatives. These programs, with training aimed at men, also provide education and assistance for victims. However, funding is an issue for these programs, our TAF contact said.

"GVN Focused Only on Trafficking"

¶10. (SBU) The Women's Union says that, although it is working on "raising awareness" and "breaking the silence" about domestic violence, it cannot undertake a national program to counter domestic violence because of limited resources. The GVN's main gender concern through 2010 will be countering the growing problem of women trafficked for prostitution, and most GVN funding and activities are directed at anti-trafficking efforts, our Women's Union contacts report. The Asia Foundation -- which does anti-TIP work as well as work related to domestic violence -- also acknowledges that anti-trafficking efforts have received much of the GVN's and international donors' attention and funding for the better part of the last five years, limiting what is available for addressing domestic violence.

Existing Legislation Lacking...

¶11. (SBU) With the passage of Vietnam's first-ever Law on Gender Equality (reftel), most observers assess that Vietnam has taken a step forward in the area of women's rights. However, the law fails to address the issue of domestic violence. Furthermore, Vietnam's Penal Code has 344 articles, none of which specifically addresses domestic violence. Criminal cases brought to court must meet the requirement that the wife is willing to testify and that there is more than a "ten percent degree of damage to the wife's health." A victim of domestic violence could theoretically bring charges under Vietnam's Civil Code -- specifically articles 32 (Ensuring the Safety of Life, Health and Body), 33 (Protecting Honor, Dignity and Reputation) and 36 (Equality of Husband and Wife) -- but many observers note that prosecutions are very difficult, and convicted offenders do not receive jail time.

...But Draft Law Promising

¶12. (SBU) Embassy contacts assess that the draft Law on Domestic Violence Prevention and Control, which was discussed at last fall's National Assembly session, holds promise for addressing violence against women. The new law would apply to Vietnamese individuals, agencies and organizations, as well as foreign individuals and organizations operating within Vietnam. It provides for victims' rights, including shelter, health care and financial compensation. The draft law, however, lacks sentencing guidelines for those committing acts of violence. Because the law was not passed during this most recent legislative session, it must be re-introduced next session in order to remain under discussion and possibly be passed.

HANOI 00000043 003.2 OF 003

Comment

¶13. (SBU) Although the GVN has done little to date to address the problem of domestic violence, the recently passed Law on Gender Equality is a modestly positive development, as are the new "National Strategy for The Advancement of Women in Vietnam by 2010" and the drafting and discussion of the Law on Domestic Violence. As one of our contacts noted, acknowledging domestic violence as a problem will be a key first step to effectively addressing it. Awareness-raising programs, both nationally and at the community level, will be essential to this effort. Hopefully, passage in the near-term of the Law on Domestic Violence will send the message that the GVN recognizes a problem exists and intends to tackle it.

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